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Attorneys for Defendant
DAVID A. NUNN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID A. NUNN,

Defendant.

Case No. 6:20-po-00742-HBK

**DEFENDANT'S UNOPPOSED MOTION
FOR EXTENSION OF TIME TO FILE
REPLY BRIEF**

MOTION

David A. Nunn, defendant in the above captioned criminal case, through assigned counsel, Assistant Federal Defender Benjamin A. Gerson, now moves this court for an extension of time to file supplemental briefing requested by the court. Defense counsel has conferred with Assistant United States Attorney Jeffrey Spivak, the government does not object.

On October 12, 2021, the Honorable United States Magistrate Judge Helena Barch-Kuchta heard oral argument on the defendant's motion to dismiss. ECF #18. The court ordered supplemental briefing, the government's brief due December 13, 2021, and defendant's briefing due January 17, 2022. Defense now requests briefing be extended until January 24, 2022.

The undersigned defense counsel is now assigned to capital habeas litigation in the District of Nevada. Currently briefing is due in the United States District Court for the District of Nevada, the Ninth Circuit Court of Appeals and in the Nevada Supreme Court. Given the complexity of

these filings, defense counsel requests additional time to ensure proper representation of Mr. Nunn.
Defense counsel will endeavor to complete all filings on or before January 24, 2022.

Respectfully submitted,

Dated: January 7, 2022

HEATHER E. WILLIAMS
Federal Defender

/s/ Benjamin A. Gerson
BENJAMIN A. GERSON
Assistant Federal Defender
Attorney for Defendant
David A. Nunn

ORDER

GOOD CAUSE APPEARING, defense briefing in case 6:20-po-00742-HBK is now due
January 24, 2022.

Dated: January _____, 2022

HON. HELENA M. BARCH-KUCHTA
United States Magistrate Judge